

# Exhibit C

## PROCEEDINGS

1 (Afternoon session.)

2 THE COURTROOM DEPUTY: All Rise.

3 THE COURT: Are you ready?

4 MR. KASULIS: Yes, your Honor.

5 MS. ZVEROVICH: I wanted to briefly raise one issue  
6 with the Court before the jury comes.

7 THE COURT: Please be seated.

8 MS. ZVEROVICH: Your Honor, this relates to  
9 cross-examination of Mr. Russo. We expect based on  
10 Mr. Kasulis' opening and what he told us, that he plans to  
11 impeach Mr. Russo by seeking to introduce multiple wiretap  
12 recordings that the defense has marked as Defense exhibits.  
13 In our view, the proper procedure here is to ask Mr. Russo, to  
14 the extent that the calls have relevance, did you say X, Y,  
15 and Z. If he says that he did, there is no further need to  
16 seek to introduce the recording to bolster his testimony. If  
17 he says he doesn't recall, he could be refreshed.

18 THE COURT: To impeach him, you mean.

19 MS. ZVEROVICH: Correct. If he denies making the  
20 statement, at that point it may be appropriate under 613 to  
21 play the recording.

22 But we wanted to front this issue for your Honor  
23 that cross may begin before the next break.

24 THE COURT: Briefly.

25 MR. KASULIS: Yes, your Honor. That would be true